THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.2312 of 2007

13.2.2007

Between:

The Gram Panchayat, Chinna Pavani, Linga Samudram Mandal,
Prakasam District, represented by its Sarpanch – Gundemadugula
Sadananda Rao, S/o.Narayana

... Petitioner

AND

The District Collector (Panchayats), Prakasam District, Ongole
And others

... Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.2312 of 2007

ORDER:

The Gram Panchayat, Chinna Pavani, Linga Samudram Mandal, Prakasam District, filed the instant writ petition seeking a direction to the respondents to release the written technical sanction for installation of motor for the existing bore-well in B.C.Colony of the village.

It is the case of the petitioner that the Gram Panchayat resolved to install a motor to the existing bore-well in the B.C.Colony, involving an extent of Rs.40,000/-. Therefore, technical sanction was sought. While the same was under process, as there was scarcity of water in the village, the Gram Panchayat approached the second respondent, who orally gave permission for installation of motor. As a result of which, the Gram Panchayat fixed the motor to existing bore-well. In spite of oral sanction, no technical sanction was granted nor released. Therefore, they filed the present writ petition.

After getting instructions, learned Assistant Government Pleader for Panchayat Raj submits that the second respondent has not granted any permission to fix motor to the existing bore-well. He further submits that unless and until proposals are received from the Mandal Parishad Development Officer (MPDO), the Divisional Engineer (Panchayat Raj), who is competent authority for granting technical sanction, cannot to do so. There is no denial by the petitioner's Counsel that these steps have not

been followed.

Therefore, the writ petition is disposed of, giving liberty to the petitioner to approach the MPDO, Lingasamudram, who may after considering the issue in turn send proposals to the concerned Divisional Engineer. As and when such proposals are received from the MPDO, the Divisional Engineer may pass appropriate orders, within a period of eight (8) weeks thereafter.

The writ petition, with the above observations, is accordingly disposed of. No costs.

(**V.V.S.RAO,J**)

February 13, 2007.
YS